

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): LAWLESS & LAWLESS ATTORNEYS AT LAW BARBARA A. LAWLESS - SBN # 53195 180 MONTGOMERY STREET, SUITE 2000 SAN FRANCISCO, CA 94104 TELEPHONE NO. (415) 391-7555 FAX NO. (Optional) (415) 391-4228 EMAIL ADDRESS (Optional): ATTORNEY FOR (Name): PATRICIA C. SUTTON		FOR COURT USE ONLY
COURT NAME: ALAMEDA SUPERIOR COURT STREET ADDRESS: 1225 FALLON STREET #209 MAILING ADDRESS: CITY AND ZIP CODE: OAKLAND, CA 94612-4293 BRANCH NAME:		
PLAINTIFF/PETITIONER: PATRICIA C. SUTTON DEFENDANT/RESPONDENT: COLLEGIATE FUNDING ET AL		
PROOF OF SERVICE SUMMONS		CASE NUMBER: RG07336545 Ref No. or File No. OV238321-04

(Separate proof of service is required for each party served)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of
- a. ☒ summons
- b. ☒ complaint
- c. ☒ Alternative Dispute Resolution (ADR) package
- d. ☐ Civil Case Cover Sheet (served in complex cases only)
- e. ☐ cross-complaint
- f. ☒ other (specify documents):
NOTICE OF JUDICIAL ASSIGNMENT FOR ALL PURPOSES; NOTICE OF CASE MANAGEMENT CONFERENCE AND ORDER UNLIMITED JURISDICTION;
3. a. Party served (specify name of party as shown on documents served):
MEMBERS CONNECT INC.
- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
MARGARET WILSON, CT CORP., AGENT FOR SERVICE OF PROCESS
4. Address where the party was served: 818 WEST 7TH STREET
LOS ANGELES, CA 90017
5. I served the party (check proper box)
- a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): August 14, 2007 (2) at (time): 11:45 am
- b. ☐ by substituted service On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
- (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) ☐ (physical address is unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
- (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

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- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.

(1) on (date):

(2) from (city):

- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a) (Code Civ. Proc., § 415.30.)

- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The Notice to the Person Served (on the summons) was completed as follows:

- a. ☐ as an Individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):

- c. ☐ as occupant.

- d. ☒ On behalf of (specify): MEMBERS CONNECT INC.

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input checked="" type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: KEN MELENDEZ
b. Address: 1891 Goodyear Avenue, Suite 620, Ventura, CA 93003
c. Telephone number: (805) 644-8014
d. The fee for service was: \$ 51.13
e. I am:

- (1) ☐ not a registered California process server.
(2) ☐ exempt from registration under Business and Professions Code section 22350(b).
(3) ☒ registered California process server:
(i) ☐ Owner ☐ employee ☒ independent contractor.
(ii) Registration No.: 5403
(iii) County: LOS ANGELES

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

OR

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: August 17, 2007

KEN MELENDEZ

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHALL)


(SIGNATURE)